all the just debts and funeral expenses of the said Testator, as will appear by reference to a copy of the said Last Will and Testament of the said James C. Shank filed herewith as "Exhibit No. 3", the said Clara L. Shank being now a widow and the said George Shank being now a widower, both Devisees, however, residing in Frederick County, Maryland.

(5) That your Orator is informed, believes and so avers, that the said James C. Shank did not leave a personal estate sufficient to pay his debts and the cost of administration, and he is advised that the same, now in the hands of the Executrix and Executor hereinbefore mentioned, ought to be applied to the payment of the claims of your Orator and other creditors of the said James C. Shank so far as the same will extend, and that any deficiency in the said personal estate ought to be supplied by a sale of all, or such part as may be necessary, of the real estate of the aforesaid debtor.

TO THE END, THEREFORE,

1. That the said real estate of the said James C. Shank, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of so much of the aforesaid debts as may remain unsatisfied by the application of the personal estate as aforesaid.

2. That the proceeds of the said real estate may be distributed unto the creditors of the said James C. Shank toward the payment of his debts.

3. And that you Orator may have such other and further relief as his case may require.

MAY IT PLEASE YOUR HONORS,

To grant unto your Orator the writ of subpoena directed against the said Esta M. Shank, Executrix, and H. Kieffer DeLauter, Executor, of the Last Will and Testament of James C. Shank, deceased, Clara L. Shank and George Shank, all of Frederick County, in the State of Maryland, warning them to appear in this Court in person, or by solicitor, on or before a certain day to be named therein, to show cause, if any they have, why a decree should not be passed as herein prayed.

And as in duty bound, etc.

Leslie N. Coblentz

Amos A. Holter
Solicitors for Complainant

Filed May 27, 1937.

"Exhibit No. 1"

Docket No. 1
Suit No. 205
Thomas H. Davis

VS.

James E. Shank

4-6-37
By, The Orphans Court
Will pass When Paid
Test: John Hershberger
Register of Wills

BEFORE
Patrick M. Schnauffer
" Justice of the Peace for the State of
" Maryland, IN AND FOR Frederick COUNTY,
" Action in debt $93.00
" Summons issued July 29, 1936
" Directed to Guy Anders Constable
" Returnable August 6, 1936
" RETURNED SUMMONED
" Continued to August 24, 1936
at ten o'clock A. M.

Frederick County, Maryland, November 10, 1936 Plaintiff appears also Defendant trial had Judgment rendered in favor of Plaintiff and against Defendant for the sum of eighty-nine Dollars and forty Cents, Debt, with interest from date until paid, and one Dollars and eighty-five Cents costs $1.85 cost paid by Plaintiff.

WITNESS my hand and Seal — Patrick M. Schnauffer (SEAL)
Justice of the Peace.

True Copy from my Docket — Patrick M. Schnauffer (SEAL)
Justice of the Peace.